

TITLE 8 DEVELOPMENT CODE
DIVISION 9: PLANT PROTECTION AND MANAGEMENT
CHAPTER 5: RIPARIAN PLANT CONSERVATION
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89.0501 Purpose.

The County finds that it is in the public interest to promote healthy and abundant riparian habitats. Riparian habitats are located along the sides of canyon bottoms, streams and rivers, providing watershed protection as well as control transmission and storage of natural water supplies. Riparian areas provide a unique wildlife habitat and contribute to an attractive environment. Rare, endangered and threatened plants and animals are most often found in riparian areas. Riparian areas also provide natural soil erosion and sedimentation control protecting stream banks subject to erosion and undercutting. In addition riparian areas provide sufficient shade to reduce temperature and evaporation and the growth of algae in streams. The provisions of this chapter are designed to augment and coordinate with the responsibilities of the California Department of Fish and Game.

Readopted Ordinance 3341 (1989)

89.0505 Scope.

(a) The provisions of this chapter shall apply to all riparian areas located on private land within the unincorporated areas of San Bernardino County and to riparian areas on public land owned by the County of San Bernardino, except as specified by Chapter 1 of this Division and this chapter.

(b) EXCEPTIONS.

(1) The provisions of this chapter are not applicable to emergency Flood Control District operations or water conservation measures established and authorized by an appropriate independent Special District with such responsibility.

(2) The provisions of this chapter are not applicable to any area that has an existing man-made impervious structure which is greater than one hundred twenty (120) square feet in roof area between the area proposed to be disturbed by a development permit and the bank of a subject stream, as measured in a straight line perpendicular to the centerline of such stream.

Readopted Ordinance 3341 (1989); Amended Ordinance 3427 (1990)

89.0510 Subject Areas and Plants.

The removal of any vegetation within two hundred (200) feet of the bank of a stream or in an area indicated as a protected riparian area on an overlay map or Specific Plan, shall be subject to a tree or plant removal permit in accordance with the procedures detailed by Chapters 3 and 4 of this Division for each respective regional area and shall be subject to environmental review, except as otherwise provided or excepted by the provisions of this Division. For the purposes of this chapter, streams include those shown on United States Geological Survey Quadrangle topographic maps as perennial or intermittent, blue or brown lines (solid or dashed), and river wash areas. Pre-construction inspections shall include the verification of the presence of any riparian vegetation. Any necessary conditions of approval for removal of riparian vegetation may be imposed in addition to and in combination with any condition imposed pursuant to Chapters 3 and 4 of this Division.

Readopted Ordinance 3341 (1989); Amended Ordinance 3427 (1990)